

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1-3-05
---

(A1675)

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (RCC) ECF Case
---	-------------------------------

*This document relates to:*

*Kathleen Ashton, et al v. Al Qaeda Islamic Army, et al. Case No. 1:02-6977 (S.D.N.Y.)*

*Thomas E. Burnett, Sr., et al. v. Al Baraka Investment & Development Corp., et al., Case No. 03-CV-9849 (S.D.N.Y.)*

*Continental Casualty Co., et al. v. Al Qaeda Islamic Army, et al., Case No. 04-CV-05970-UA (S.D.N.Y.)*

*Euro Brokers, Inc., et al. v. Al Baraka Investment and Development Corp., et al., Case No. 04-CV-07279-UA (S.D.N.Y.)*

*New York Marine and General Insurance Co. v. Al Qaida, et al., Case No. 04-CV-6105 (S.D.N.Y.)*

*World Trade Center Properties, LLC, et al. v. Al Baraka Investment and Development Corporation, et al., Case No. 04-CV-7280 (S.D.N.Y.)*

**STIPULATION AS TO SERVICE OF PROCESS AND EXTENSION OF TIME  
TO RESPOND TO COMPLAINTS CONSOLIDATED UNDER MDL 1570**

It is HEREBY STIPULATED AND AGREED, by and between Plaintiffs in all of the above-referenced cases consolidated under 03 MDL 1570 and Defendant M. Yaqub Mirza, by and through their undersigned counsel, that the undersigned Defendant's counsel hereby accepts service of the Complaint in each of the cases referenced above, on behalf of Mr. Mirza.

IT IS FURTHER HEREBY STIPULATED AND AGREED that Plaintiffs pursuing claims for relief under the Racketeer Influenced and Corrupt Organizations Act ("RICO") shall serve their respective RICO Statements concerning Mr. Mirza, on or before February 25, 2005.

IT IS FURTHER HEREBY STIPULATED AND AGREED that the time for Mr. Mirza to answer or otherwise respond to the Complaint in each of the cases referenced above, shall be on or before March 28, 2005.

IT IS FURTHER HEREBY STIPULATED AND AGREED that the Plaintiffs' response to Mr. Mirza's responsive pleadings, if any, shall be served within sixty days of receipt of same from defendant's counsel, and that defendant's counsel shall file reply papers, if any, within fourteen days of receipt of plaintiffs' opposing papers.


IT IS FURTHER HEREBY STIPULATED AND AGREED that Mr. Mirza hereby waives any and all affirmative defenses, objections, privileges, immunities and arguments relating to service of process in each of the cases referenced above, but preserves any and all other defenses, objections, privileges, immunities and arguments available to it.

IT IS FURTHER HEREBY STIPULATED AND AGREED that Plaintiffs shall not include Mr. Mirza in any notice of service by publication in any language and shall provide counsel for Mr. Mirza with a copy of any such notice, in all languages in which such notice shall appear, in advance of publication.

Respectfully submitted.

COZEN O'CONNOR

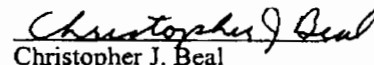
By:

  
Sean P. Carter  
J. Scott Tarbutton  
1900 Market Street  
Philadelphia, PA 19103

*Attorneys for Plaintiffs*

GRAY CARY WARE & FREIDENRICH

By:

  
Christopher J. Beal  
4365 Executive Drive  
Suite 1100

San Diego, CA 92121

*Attorneys for Defendant*

**SO ORDERED:**



\_\_\_\_\_  
RICHARD CONWAY CASEY, U.S.D.J.

Dated: 12/27/04



PHILA1\2183590\1 117430.000